I hereby certificate this correspondence is being deposited with the United Season Postal Service with sufficient postage as first class mail in an envelope addressed to: Attention: Office of Petitions, Commissioner for Patents, Washington, D.C. 20231 on

July 30, 2003

Date of Deposit

Michael E. Milz, Reg. No. 34,880

Name of Applicant, Assignee or Registered Bepresentative

Signature

AUG 1 1 2003
Technology Center 2600

Our File No. 9281/3917

ALPS Client Reference NO. N US00009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Naoya Hasegawa et al.)
Serial No.: 09/774,781) Examiner: George J. Letscher
Filing Date: January 30, 2001) Group Art Unit No.: 2653)
For: SPIN VALVE THIN FILM MAGNETIC ELEMENT AND METHOD FOR MAKING SAME)))

PETITION UNDER 37 CFR 1.181 FOR THE WITHDRAWAL OF HOLDING OF ABANDONMENT

Mail Stop Petition Commissioner for Patents P.O. Box 1450 Washington, D.C. 22313-1450

Dear Sir:

Applicants hereby petition under 37 CFR 1.181 for withdrawal of the erroneous holding of abandonment in this application.

By way of introduction, a Notice of Allowance was mailed by the USPTO to Applicant's attorney's law firm of Brinks, Hofer, Gilson, and Lione. The Notice of Allowance was not received, and subsequently the issue fee was not sent by the Applicants attorney. In response, The Patent Office mailed a Notice of Abandonment.

Attached is a declaration executed by the undersigned attorney that states that the original Notice of Allowance and Issue Fee Due was never received, and attests that a search of the file jacket and docket records indicates that the Office communication was never received by Applicant's attorney's law firm of Brinks, Hofer, Gilson, and Lione, in Chicago, Illinois. Accordingly, as this petition, and accompanying declaration and supporting materials are being timely filed in response to the Notice of Abandonment dated June 27, 2003, the holding of abandonment in this application should be withdrawn per MPEP Section 711.03(c)(II).

Applicants believe that no fees are required, but the Commissioner is hereby authorized to charge payment of any fees, if necessary, associated with this Petition for Withdrawal to Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

Respectfully submitted,

Michael E. Milz

Registration No. 34,880 Attorney for Applicant

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